

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

SHERELL M. SCOTT,

Plaintiff,

v.

AMERISTAR CASINO,

Defendant.

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No. 06-0372-CV-W-DW

ORDER DISMISSING CASE

On September 24, 2007, the Court ordered Plaintiff to show cause why this case should not be dismissed for failure to participate in the discovery process. Plaintiff has not filed a response to the Court's Order and has failed to appear for her properly noticed deposition on October 11, 2007. On October 15, 2007, Defendant filed a motion to dismiss the case or alternatively, to extend the time for discovery.

The Court hereby DISMISSES the above-captioned action *with prejudice*. The Clerk of the Court is directed to terminate all pending motions and mark this case as closed. The Clerk of the Court is directed to deliver a copy of this Order by first class mail and by certified mail, return receipt requested, to Plaintiff at the following address: Sherell M. Scott, 228 Freedom Drive, Apt. Q., Belleville, IL 62226.

Date: October 23, 2007

/s/ Dean Whipple
Dean Whipple
United States District Judge